

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

ANDREW P. CAPUTO (CSBN 203655)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7004
Fax: (415) 436-7234
Email: andrew.caputo@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0884 VRW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
JOSEPH WILLIS, JR.,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of defendant Joseph Willis, Jr., the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from January 8, 2009, to February 12, 2009. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defendant's counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case. During the exclusion period, defendant's counsel intends to review the discovery to be provided by the government and to consult with his client about the case. Failure to grant the requested continuance also would unreasonably deny defendant continuity of counsel, as Mr. Kalar will be

1 on parental leave during a portion of the excluded period of time.

2 2. Given these circumstances, the Court found that the ends of justice served by
3 excluding the period from January 8, 2009, to February 12, 2009, outweigh the best interest of
4 the public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, at the hearing on January 8,
6 2009, the Court ordered that the period from January 8, 2009, to February 12, 2009, be excluded
7 from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED.

9
10 DATED: January 13, 2009

/s/

STEVEN G. KALAR
Attorney for Defendant

11
12
13 DATED: January 9, 2009

/s/

ANDREW P. CAPUTO
Assistant United States Attorney

14
15
16 IT IS SO ORDERED.

17
18 DATED: January 20, 2009

